



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG/JDG/CMP
F.#2008R00530

271 Cadman Plaza East
Brooklyn, New York 11201

February 22, 2012

By Federal Express

Adam D. Perlmutter, Esq.
260 Madison Avenue, Suite 1800
New York, NY 10016

Samuel M. Braverman, Esq.
901 Sheridan Avenue
Bronx, NY 10451

Susan Kellman, Esq.
25 8th Avenue
Brooklyn, NY 11217

Re: United States v. Thomas Gioeli, et al.
Criminal Docket No. 08-240 (BMC)

Dear Counsel:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes the following additional discovery in the above-captioned case.

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1390A 1390B	Two DVDs, labeled 1390A and 1390B, containing video surveillance taken at 2116 Avenue X in Brooklyn on May 1, 1996, including video images of Thomas Gioeli, Dino Saracino, Joel Cacace and others
1391	DVD containing video surveillance taken at 2116 Avenue X in Brooklyn on May 8, 1996, including video images of Saracino, Cacace and others

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 Page 2

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1392	DVD containing video surveillance taken at 2116 Avenue X in Brooklyn on May 15, 1996, including video images of Gioeli, Saracino, Cacace and others
1393	DVD containing video surveillance taken at 2116 Avenue X in Brooklyn on May 29, 1996, including video images of Gioeli, Saracino, Cacace and others
1394	- No Discovery Exhibit -
1395	Surveillance photographs of Thomas Gioeli and others dated June 11, 1996
1396	Surveillance photographs of Thomas Gioeli, Dino Calabro and others dated July 23, 1997
1397	Surveillance photographs of Thomas Gioeli and others dated October 3, 1995
1398	Surveillance photographs of Thomas Gioeli and others dated February 6, 1998
1399	Surveillance photographs of Thomas Gioeli, Joel Cacace and others dated February 12, 1998

The government is in possession of the following physical evidence that it may seek to introduce at trial: (1) certain items removed from the remains of William Cutolo, including the bullet removed from Cutolo's skull; (2) a buccal swab taken from the mother of Carmine Gargano; and (3) a buccal swab taken from Joseph Competiello. As the government comes into possession of additional physical evidence, you will be notified pursuant to Rule 16(a)(1)(E). Should you wish to arrange a time to inspect any physical evidence in the government's possession, please contact us.

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Page 3

If you have any questions or requests, please
contact us.

Sincerely,

LORETTA E. LYNCH
United States Attorney

By: /s/James D. Gatta
Elizabeth A. Geddes
James D. Gatta
Cristina M. Posa
Assistant U.S. Attorneys

cc: All Counsel (by ECF) (w/o enclosures)
Clerk of the Court (BMC) (by ECF) (w/o enclosures)



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